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(212) 594-2400

Attorneys for Defendant  
EMPIRE UNITED LINES CO., INC. and MICHAEL KHITRINOV

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

OOO "GARANT-S",

Plaintiff,

-against-

EMPIRE UNITED LINES CO., INC. and  
MICHAEL KHITRINOV (aka "Michael  
Hitrinov"),

Defendants.

**ECF CASE**

11 Civ. 1324 (FB) (LB)

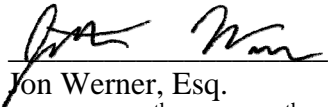
**NOTICE OF MOTION FOR LEAVE TO  
FILE AMENDED ANSWER WITH  
COUNTERCLAIMS AND FOR LEAVE  
TO FILE A THIRD-PARTY  
COMPLAINT**

SIRS:

PLEASE TAKE NOTICE, that upon the accompanying Affirmation of Jon Werner, with Exhibits, sworn to the 11th day of April, 2012, and all the prior pleadings and proceedings had herein, the undersigned will move this Court before the Honorable Frederic Block at the United States District Courthouse, located at 225 Cadman Plaza East, Brooklyn, New York, as soon as counsel can be heard, for an Order granting leave to file an Amended Answer with Counterclaims pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, granting leave to file a Third-Party Complaint pursuant to Rule 14 of the Federal Rules of Civil Procedure against non-parties Garant-S, Inc., Dmitri Lanchinskiy, Alexey Ivkin, and Igor V. Yurkin, and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
April 11, 2012

LYONS & FLOOD, LLP  
Attorneys for Defendants  
EMPIRE UNITED LINES CO., INC. and  
MICHAEL KHITRINOV

By:   
Jon Werner, Esq.  
65 West 36<sup>th</sup> Street, 7<sup>th</sup> Floor  
New York, New York 10018  
(212) 594-2400

TO: Law Office of Dmitry A. Chernov  
11821 Parklawn Drive, Suite 206  
Rockville, MD 20852

Attn: Dmitry A. Chernov, Esq.  
Kostyantyn Nesterov, Esq.

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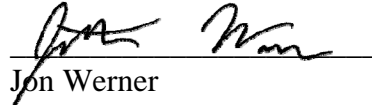
**CERTIFICATE OF SERVICE**

Jon Werner, an attorney duly admitted to practice before this Honorable Court, affirms on this 11th day of April 2012, that he served true copies of the foregoing, via email and by U.S. Mail, first-class postage pre-paid to:

Law Office of Dmitry A. Chernov  
11821 Parklawn Drive, Suite 206  
Rockville, MD 20852

Attn: Kostyantyn Nesterov, Esq.  
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Jon Werner

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